GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.

Public Servants–Transport Department–Surprise Check conducted by ACB Officials over the Integrated Check Post, Bheemunivaripalem, Tada Mandal, Nellore District on 17.08.2012– Disciplinary Proceedings initiated by framing Articles of Charges against Sri Azad Zakir, MVI, Sri B.Srinivasa Rao, AMVI, and Sri Vigneshwar Lal, Transport Constable–Written Statements of Defences submitted- Case entrusted to Commissionerate Of Inquiries(COI) for Common Enquiry–Enquiry conducted-Enquiry Report submitted-Charges held Not Proved-Further action dropped- Orders-Issued.

TRANSPORT, ROADS & BUILDINGS(VIG.TR.)DEPARTMENT

G.O.RT.No. 99 Dated: 24-03-2018.

Read the following:

1) From the Director General, Anti-Corruption Bureau, A.P., Hyderabad, vide Letter RC No.08/DES-NNL/2012, Dated: 29.12.2012.
2) Govt. Memo No1176/Vig.III/1/2013-1, Dated:25.02.2013 of T,R&B (VIG.III)Department.
3) Charge Memos Nos.8190/V3/2012-1 to 3, Dated:12.04.2013 of Transport Commissioner, A.P., Hyderabad.
4) From the Transport Commissioner, A.P., Hyderabad, Letter No. 8190/V3/2012, Dated:18.01.2016.
5) G.O.Rt.No.217, TR&B(Vig.Tr.2)Deptt., Dated:12.04.2016.
6) Govt. Memo No1176/Vig.III/2/2013-4, Dated:12.04.2016 of T,R&B (VIG.III) Department.
7) From the G.A.(COI.KSR)Deptt., D.O.Lr.No.38/COI-KSR/2016, Dated: 12.09.2017.

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ORDER:

In the reference first read above, the Director-General, Anti- Corruption Bureau, A.P., Hyderabad has submitted his Detailed Surprise Check Report, stating that on credible information that the Officers and Staff of Integrated Check Post, B.V.Palem, Tada Mandal, Nellore District were collecting 'mamools' from the crew of Vehicles passing through the Integrated Check Post(ICP) and allowing irregular operation of Vehicles violating the Rules and Regulations, the ACB Officials conducted a Surprise Check on the said Integrated Check Post(ICP), on 17.08.2012, and, inter-alia, in so far as the Transport Department is concerned, it has been revealed that:

1. That Sri Bayyavarapu Srinivasa Rao, AMVI, ICP, B.V.Palem, Tada Mandal, being a Public Servant on duty, together with Transport Constable, Kalicheti Vigneswara Lal, had engaged a Private Person, Suripakam Kiran Kumar, and violated the Instructions of Tr.Commr., issued vide Memo No.3/15153/V3/1998, Dated:15.02.2007 and collected mamools of Rs.27,350/- from the crew of the Vehicles passing through the Check Post and also allowed the crew of the Vehicles to pay the amounts voluntarily for ignoring their violations and the usual collection on 17.08.2012 was Rs.5,700/- found on the Table of Transport Wing Check Post;

2. That Sri Kalicheti Vigneswara Lal, Transport Constable, ICP, B.V.Palem, Tada Mandal, being a Public Servant on duty, together with AMVI, Sri Bayyavarapu Srinivasa Rao, had engaged a Private Person and collected mamools of Rs.27,350/- through them from the crew of the Vehicles passing through the Check Post and also allowed the crew of the Vehicles to pay the amounts voluntarily for ignoring their violations and the usual collection on 17.08.2012 was Rs.5,700/- found on the Table of Transport Wing Check Post and thereby violated the Instructions of Transport Commissioner, A.P., Hyderabad vide Memo No.3/15153/V3/ 1998, Dated:15.02.2007;

3. That Sri S.Azad Zakir, MVI, Incharge Officer of Transport Wing of the Integrated Check Post, B.V.Palem, Tada Mandal, while working as thus, exhibited gross negligence of duty and exhibited slack supervision and allowed his subordinates, the AMVI and Transport Constable, to engage a Private Person, Suripakam Kiran Kumar, S/o Ramachandraiah, Acharya Street, Tada(V&M), by violating the Instructions of Transport Commissioner, A.P., Hyderabad vide Memo No.3/15153/V3/1998, Dated:15.02.2007, and for collecting mamools of unaccounted amount of Rs.27,350/- in Transport Wing Check Post and also allowed the crew of the Vehicles passing through the Check Post to pay the amounts voluntarily for ignoring their violations and the usual collection on 17.08.2012 was Rs.5,700/- found on the Table of Transport Wing Check Post.

2. The Director-General, Anti-Corruption Bureau, A.P., in his above Surprise Check Detailed Report Dated:29.12.2012, in so far as the Transport Department was concerned, had recommended to initiate Departmental Action for Major Penalty against:1)Sri S.Azad Zakir, MVI, 2)Sri B.Srinivasa Rao, AMVI, and 3)Sri K.Vigneswara Lal, Transport Constable, Integrated Check Post, B.V.Palem, Tada Mandal, Nellore District for allowing the Drivers of

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Transport Vehicles to offer the amounts voluntarily to ignore their irregularities and collected the voluntarily offered amount of Rs.5,700/- found on the Table of Transport Wing Check Post from the Transporters, in violation of Rule 3 (1), (2) & (3) of A.P.Civil Services(Conduct)Rules, 1964.

3. After careful examination of the matter and in consultation with the Advisory Body in Vigilance Matters, to accept the recommendations of the Director-General, Anti-Corruption Bureau, A.P., Hyderabad to initiate Major Penalty Proceedings for violation of Rule 3(1), (2) & (5) of A.P.Civil Services (Conduct)Rules, 1964, against: 1)Sri S.Azad Zakir, MVI, 2)Sri B.Srinivasa Rao, AMVI, and 3)Sri K.Vigneswara Lal, Transport Constable of Integrated Check Post, B.V.Palem, Tada(Mandal), Nellore District, was transmitted to the Transport Commissioner, A.P., Hyderabad with a request to take further necessary action in the matter under Rule 20 of APCS(C,C&A)Rules, 1991 r/w Rule 24 of the said Rules, vide reference second read above. Accordingly, the Transport Commissioner, A.P., Hyderabad has initiated Departmental Proceedings against the above named three Charged Officers, by framing articles of charges, vide reference third read above.

4. In the reference fourth read above, the Commissioner, A.P., Hyderabad, while forwarding the Articles Of Charges, Written Statements of Defences of the Three Charged Officers, namely, Sri S.Azad Zakir, MVI, Sri B.Srinivasa Rao, AMVI, and Sri K.Vigneswara Lal, Transport Constable, has submitted proposal to the Govt. for entrustment of the case to Commissioner Of Inquiries(COI).

5. In the reference fifth read above, orders were issued appointing Sri K.Sahadeva Reddy, Commissioner Of Inquiries(COI), General Administration Department, as the Inquiring Authority to conduct Detailed Enquiry into the charges framed against the three Transport Officials. Sri M.Vara Prasada Rao, Advocate, was appointed as Presenting Officer to present the case on behalf of the Disciplinary Authority in the Inquiry against the Three(3) Charged Officials of Transport Department, vide reference 6th read above.

6. The Inquiring Authority has submitted his Report of Enquiry vide reference seventh read above, holding that the charges framed against all the Three Charged Officers, i.e., Sri S.Azad Zakir, MVI, Sri B.Srinivasa Rao, AMVI, and Sri K.Vigneswara Lal, Transport Constable, are NOT PROVED.

7. Government, after careful examination of the matter, hereby drop further action against the Three Charged Officers, i.e., Sri S.Azad Zakir, Motor Vehicles Inspector (MVI), Sri B.Srinivasa Rao, Asst. Motor Vehicles Inspector(AMVI), and Sri K.Vigneswara Lal, Transport Constable, as the charges are held as NOT PROVED.

8. The Transport Commissioner, A.P., Vijayawada shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD,
SPL. CHIEF SECRETARY TO GOVERNMENT

To

Sri S.Azad Zakir, Motor Vehicles Inspector, Gudur(HQ), Sri B.Srinivasa Rao, Asst. Motor Vehicles Inspector, O/o Deputy Transport Commissioner, NELLORE, SPSR Nellore District, A.P., and Sri K.Vigneswara Lal, Asst. Motor Vehicles Inspector, O/o Deputy Transport Commissioner, Prakasam, ONGOLE, **THROUGH** the Transport Commissioner, A.P., Vijayawada.

The Transport Commissioner, A.P., Vijayawada(Three Copies). He is requested to serve the copies of the above G.O. on the three individuals and submit Dated Acknowledgements from them to the Government for record.

Copy to:

1)The Director General, Anti-Corruption Bureau, A.P., Vijayawada.

2)The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, A.P.Secretariat, Velagapudi, Amaraavathi for information(w.r.t.APVC's Lr. No.10196/VC.AF(2)/2012-7, Dated: 02.01.2018).

3)SF/SC's.

//FORWARDED:: BY ORDER//

SECTION OFFICER